

1
2
3
4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

6 * * *

7 U.S. BANK NATIONAL ASSOCIATION,
8 Plaintiff,
9 v.
10 SFR INVESTMENTS POOL 1, LLC, et al.
11 Defendants.

Case No. 2:17-cv-00708-JCM-PAL

ORDER

12 Before the court is the parties' Joint Status Report (ECF No. 80). In the Joint Status Report
13 (ECF No. 77) dated September 27, 2018, the parties advised the court that they had agreed on the
14 terms of a settlement agreement, believed they were close to execution, and would be in a position
15 to submit a stipulation and proposed order dismissing this case in 30 days. The court therefore
16 entered an Order (ECF No. 79) giving the parties 30 days to file the stipulation to dismiss or a joint
17 status report indicating when the stipulation would be filed.


18 In the current Joint Status Report (ECF No. 80), the parties now advise that they have
19 executed a settlement agreement that will require approximately 60 days to perform and will then
20 "be in a position" to submit a proposed stipulation within approximately 90 days. The parties
21 provide no explanation for why they earlier told the court they would submit a stipulation to
22 dismiss in 30 days in September and now need 120 days to submit a stipulation. An agreement
23 has been executed. As experienced counsel were involved in reaching a written settlement
24 agreement, it is presumably valid and enforceable. The parties provide no reason at all why this
25 court should leave this case open on its docket while one or more parties performs their contractual
26 obligations. This practice has become a pattern in these HOA cases and is unreasonably delaying
27 final resolution of these cases. The court will no longer provide the parties relief from the
28 discovery plan and scheduling order deadlines while they wait for settlement agreements to be

1 finalized over extended periods of time. The court will give the parties 30 days to file the
2 stipulation for dismissal or to file the joint pretrial order. Accordingly,

3 **IT IS ORDERED** that:

- 4 1. Plaintiff and defendant Setona Homeowners' Association shall have 30 days to either
5 file a stipulation to dismiss with prejudice, or the joint pretrial order.
6 2. No further extensions will be allowed.

7 DATED this 2nd day of November 2018.

8
9 
10 PEGGY A. GREEN
UNITED STATES MAGISTRATE JUDGE